



U.S. Department of Justice

United States Attorney Southern District of New York

The Silvio J. Mollo Building One Saint Andrew's Plaza New York, New York 10007

April 30, 2020

BY ECF

The Honorable Taylor A. Swain United States District Judge Southern District of New York 500 Pearl Street New York, New York 10007

MEMO ENDORSED

United States v. Michael Ackerman, 20 Cr. 93 (TXXX) (LTS) Re:

Dear Judge Swain:

The Government respectfully submits this letter to seek an adjournment of the arraignment and initial conference currently scheduled for 10:30 a.m. on May 7, 2020. The parties are discussing a pretrial resolution of this matter.

As noted in detail in the Government's prior adjournment request (ECF No. 9), the Government also seeks exclusion of time from the speedy trial clock in an abundance of caution, though the Government believes that the speedy trial clock has not begun to run in this case, because the defendant has yet to appear in this district, and that time is automatically excluded from the speedy trial clock to the extent that the defendant is not currently physically capable of standing trial. In the alternative, the Government moves with the consent of defense counsel to exclude time from the speedy trial clock under 18 U.S.C. § 3161(h)(7)(A) because the ends of justice served by such exclusion outweigh the best interest of the public and the defendant in a speedy trial. Specifically, the exclusion would allow time for the parties to continue discussing a pretrial disposition in this case.

THE APPLICATION IS GRANTED. THE CONFERENCE IS ADJOURNED TO JUNE 11, 2020, AT 10:00 A.M. THE COURT FINDS PURSUANT TO 18 U.S.C. § 3161(h)(7)(A) THAT THE ENDS OF JUSTICE SERVED BYAN EXCLUSION OF THE GEOFFREY S. BERMAN TIME FROM TODAY'S DATE THROUGH JUNE 11, 2020, OUTWEIGH THE BEST INTERESTS OF THE PUBLIC AND THE DEFENDANT IN A SPEEDY TRIAL FOR THE REASONS STATED ABOVE. DE# 14 RESOLVED. SO ORDERED.

DATED:APRIL 30, 2020 /S/ Laura Taylor Swain, USDJ

cc: All Counsel (by ECF)

Respectfully submitted,

United States Attorney for the Southern District of New York

By:___/s/____ Jessica Greenwood Assistant United States Attorney (212) 637-1090